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UNCLAS ABUJA 001074

SIPDIS

SENSITIVE

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SUBJECT: ICPC FEELS US LOOKING OVER ITS SHOULDER

REF: ABUJA 979 AND 974

1. (SBU) Summary: The Independent Corrupt Practices and Other Related Offences Commission (ICPC), charged with investigating and prosecuting government corruption, has had limited success: dozens of cases filed, many against rather senior officials; no convictions to date. Under pressure from US Embassy Abuja, ICPC is publicly acknowledging the need to show results. End Summary.

608 Cases, Only 34 Go to Court

2. (U) Since its inception in June 2000, the ICPC has received 1270 allegations and referred 608 of those to its investigations department. No action was taken on many of these until 2003, when constitutional challenges to ICPC's mandate were resolved. The status of these 608 cases is as follows, according to an ICPC activities report:

34 Cases charged in court
64 Cases referred to prosecution dept.
8 Cases fully investigated, yet to be prosecuted
60 Cases currently under investigation
194 Cases at planning stage
125 Cases referred to other enforcement body
133 Cases on which investigation is yet to commence

608 Total

Pressure for Results

3. (U) Poloff attended a two-day ICPC public conference in Lokoja, Kogi State, on June 3-4, the goal of which was to prepare a strategic plan for the ICPC. Poloff asked ICPC Chairman Justice M. M. Akanbi on June 3 about the status of the ministerial corruption prosecution (reftels), for which charges had been withdrawn on June 2. Akanbi said he thought charges would be re-filed, but would find out from his prosecution staff. Poloff pressed Akanbi on this case, stating that ICPC's ability to achieve results in high-profile cases would be critical to its credibility.

4. (SBU) On June 4, during workshop sessions, Akanbi approached Poloff to ask to step outside the conference room. Akanbi gave a detailed explanation of the reason the ministerial corruption charges had been withdrawn on June 2 (a legal technicality revolving around the death of one of the original defendants), along with an extensive update of the re-filing of charges on June 3. Akanbi repeatedly said that he understood how important this high-profile case is, since the whole world is watching to see if ICPC can produce results.

5. (U) On June 16, Poloff attended an ICPC event held in honor of "First National Anti-Corruption Week" at its headquarters in Abuja. Akanbi opened the session by reading a speech to the audience of about 100-120 journalists. He departed from his prepared speech text at one point to refer to the ICPC's high-profile prosecutions and the need to show results: "The whole world is watching; that is why our friend from the US Embassy is here."

8. (SBU) After the press conference concluded, the ICPC's Permanent Secretary, Dr. Tukur Ingawa, approached Poloff to make an appointment for Akanbi and Ingawa to brief Poloff about the status of all pending high-profile prosecutions (septel).

Comment

9. (SBU) The Embassy's repeated inquiries are beginning to put pressure on the ICPC to show results. The Embassy will continue to attend high-profile trials and talk with ICPC officials regularly. At the same time, the Embassy will use its membership in the G-8 Transparency/Anticorruption Working Group (GETAWG) in Abuja to develop strategies for additional efforts with other diplomatic missions to influence the course of events so the ICPC sees such interest as broader

than the USG alone.
CAMPBELL